

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: DEALER MANAGEMENT
SYSTEMS ANTITRUST LITIGATION**

This Document Relates To:

THE DEALERSHIP CLASS ACTION

MDL No. 2817

Case No. 18-cv-00864

Hon. Robert M. Dow, Jr.
Magistrate Judge Jeffrey T. Gilbert

**DECLARATION OF PEGGY J. WEDGWORTH IN SUPPORT OF
DEALERSHIP CLASS PLAINTIFFS' MOTION TO COMPEL
DISCLOSURE OF 1,807 DOCUMENTS CDK GLOBAL, INC.
PREVIOUSLY DISCLOSED TO THE FEDERAL TRADE COMMISSION**

I, Peggy J. Wedgworth, Esq., pursuant to 28 U.S.C. § 1746, hereby declares:

1. I am a partner at Milberg Tadler Phillips Grossman LLP, and I represent Dealership Class Plaintiffs ("Dealership Plaintiffs") in the above-captioned matter as Dealership Interim Lead Class Counsel and MDL Co-Lead Counsel. I respectfully submit this declaration in support of Dealership Class Plaintiffs' Motion to Compel Disclosure of 1,807 Documents CDK Global, Inc. ("CDK") Previously Disclosed to the Federal Trade Commission ("Motion to Compel").
2. I have personal knowledge of the matters set forth herein, and could and would testify competently thereto if called upon to do so.
3. I have been and continue to be involved in the communications and meet and confers with CDK in regard to documents CDK previously disclosed to the Federal Trade Commission ("FTC"). My colleague Elizabeth McKenna, a partner at my firm, is also involved in communications and meet and confers on this issue.

4. Dealership Plaintiffs are requesting the disclosure of 1,807 documents (“1,807 Documents”) identified by CDK as privileged that it previously produced to the FTC pursuant to a Civil Investigative Demand. Dealership Plaintiffs seek the disclosure of 1,807 Documents because CDK produced these documents to the FTC in an adversarial proceeding, and thus has waived the attorney-client privilege and attorney work product protection.

5. A true and correct copy of a list of the beginning-Bates number of the 1,807 Documents is attached hereto as Exhibit 1.

6. A true and correct copy of Dealership Plaintiffs’ August 1, 2018 letter to CDK with attached list of 4,535 documents is attached hereto as Exhibit 2.

7. A true and correct copy of CDK’s August 1, 2018 letter to Dealership Plaintiffs is attached hereto as Exhibit 3.

8. A true and correct copy of Dealership Plaintiffs’ August 2, 2018 letter to CDK is attached hereto as Exhibit 4.

9. A true and correct copy of CDK’s August 3, 2018 letter to Dealership Plaintiffs is attached hereto as Exhibit 5.

10. A true and correct copy of Dealership Plaintiffs’ August 3, 2018 letter to CDK is attached hereto as Exhibit 6.

11. A true and correct copy of CDK’s and Dealership Plaintiffs’ August 4, 2018 1:17 pm and 3:50 pm emails are attached hereto as Exhibit 7.

12. A true and correct copy of CDK’s August 4, 2018 8:48 pm email to Dealership Plaintiffs with attached list of “Category 2” documents is attached hereto as Exhibit 8.

13. A true and correct copy of Dealership Plaintiffs' August 5, 2018 1:30 pm email, and Dealership Plaintiffs' and CDK's August 6, 2018 1:35 pm and 4:45 pm emails are attached hereto as Exhibit 9.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 6, 2018

/s/ Peggy J. Wedgworth
PEGGY J. WEDGWORTH